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August 16, 2005

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Ex Parte Submission -- WT Docket No. 02-55,
Response of BearingPoint, Inc.

Dear Ms. Dortch:

BearingPoint, Inc. ("BearingPoint" or the "Company") hereby responds to the *ex parte* letter of Preferred Communications Systems, Inc. ("Preferred") that was filed in the above-referenced docket on July 15, 2005. Although the letter purports to concern BearingPoint's qualifications, the real purpose of the letter appears to be Preferred's ongoing complaints about the FCC's database. Preferred's concerns regarding the Commission's database is an FCC matter that does not involve BearingPoint.¹

However, in that letter, Preferred continued its meritless assertions concerning BearingPoint's qualifications to be a member of the Transition Administrator ("TA").² BearingPoint would like to take this opportunity to rebut

¹ BearingPoint has limited its response in this filing to those issues directly related to the Company's qualifications. The TA will address those matters relevant to the TA's data collection in a separate filing.

² 800 MHz Transition Administrator, LLC ("TA LLC") is the Transition Administrator ("TA") for the reconfiguration of the 800 MHz band mandated by the FCC. TA LLC has contracted with BearingPoint, Inc., Squire, Sanders & Dempsey LLP and Baseline Telecom, Inc. to perform the duties of the TA.

Preferred's unfounded insinuations and to update the Commission and other interested parties on the Company's recent progress and other significant events affecting the Company.

The Company recently announced that it achieved bookings for the second quarter of 2005 of \$960 million, which represents the largest recorded bookings for any quarter in BearingPoint's history as a public company. Further, on July 20th the Company announced that it had closed a five-year \$150 million credit facility and raised another \$40 million in private investment from Friedman, Fleischer & Lowe.³ BearingPoint's liquidity position also remains strong. As of June 30, 2005, the Company had approximately \$390 million on its balance sheet.⁴ This quarter's bookings and investors' continued confidence in the Company affirms BearingPoint's ongoing ability to attract major clients, win new contracts and sustain growth.

The Company expects to complete its 2004 financial statements and related SEC filings by the end of the summer in September and expects to file its Form 10-Qs for the first and second quarters of 2005 shortly thereafter. Finally, the Company is working diligently to bring its financial records up-to-date and has devoted substantial resources toward that end.

BearingPoint remains committed to providing its clients with the highest standards of service and remains capable of effectively and efficiently managing the 800 MHz reconfiguration, as well as carrying out its obligations as a member of the TA.

The 800 MHz reconfiguration process is well underway. The TA recently filed its report indicating the results of the 800 MHz Economic Area licensee relocation elections. The TA is currently in the process of finalizing and mailing out Frequency Proposal Reports for Wave 1, Stage 1 licensees (Stage 1 includes frequencies in the 806-809 MHz/851-854 MHz band), and on July 18th announced the start of its new outreach and education efforts designed to assist licensees in understanding the guidelines and procedures established for the reconfiguration process.

³ See, BearingPoint, Inc. Press Release, dated July 20, 2005.

⁴ *Id.* The cash balance as of June 30, 2005 does not include the \$40 million equity investment referenced above.

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BearingPoint envisions the reconfiguration process as a collaborative effort on the part of all parties involved. BearingPoint submits that it is Preferred's continued unfounded allegations that are intended to create a distraction for the TA, 800 MHz licensees and the Commission and to divert attention and resources away from the mission at hand - ensuring the ability of the nation's first responders to safely communicate. Accordingly, we urge the Commission and other interested parties to disregard Preferred's continuing efforts to create dissension.

Very truly yours,

A handwritten signature in black ink, appearing to read "Antoinette C. Bush" followed by a stylized flourish.

Antoinette Cook Bush
Counsel for BearingPoint, Inc.

cc: Keith Kuder
Brett Haan
Robert B. Kelly